

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA GREAT
HELENA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTONIO MATHIAS PETERSEN,

Defendant.

CR-14-07-H-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 8, 2021. (Doc. 59.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on December 7, 2021. (Doc. 58.) The United States accused Petersen of violating his conditions of supervised release by failing to successfully complete his mental health treatment program. (Doc. 45.)

At the revocation hearing, Petersen denied the alleged violation. (Doc. 58.) Judge Johnston found that the government satisfied its burden of proof with respect to the alleged violation. (Doc. 59.) Petersen was advised of his right to appeal and his right to allocute before the undersigned. He waived those rights. (Doc.58.) Judge Johnston found that the violation proves serious and warrants revocation of Petersen's supervised release and recommends Petersen be incarcerated for 6 months with no supervised release to follow. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 59) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Antonio Mathias Petersen be sentenced to the BOP for 6 months, with no supervised release to follow. The sentence imposed in this case should run concurrent with the sentence imposed in cause number CR-13-05-H-BMM.

DATED this 9th day of December, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court